

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	
CYNTHIA STOWE	:	CASE NO. 23-11101-MDC
	:	
	:	
CITADEL FEDERAL	:	CHAPTER 13
CREDIT UNION	:	
MOVANT,	:	11 U.S.C. § 362
	:	
	:	
v.	:	
	:	
CYNTHIA STOWE	:	August 1, 2023 10:30 a.m.
DEBTOR,	:	Courtroom # 2
	:	
KENNETH E WEST, TRUSTEE	:	
ADDITIONAL RESPONDENT	:	

STIPULATION BY AND BETWEEN CYNTHIA STOWE AND
CITADEL FEDERAL CREDIT UNION

WHEREAS the parties hereto, and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Citadel Federal Credit Union (“Movant”) and Cynthia Stowe’s (“Debtor”) Response thereto.

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. Movant is a mortgagee and holder of a perfected, secured claim against the Debtor pursuant to a Note and Mortgage on Debtor’s real estate known as 919 Brook Avenue, Secane, Pennsylvania, 19018 (the “Property”).
2. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and secured creditor, Citadel agree to the following:


- a. Debtor acknowledges that the current regular monthly post-petition mortgage payment is \$612.24 per month. The monthly payment is subject to change in accordance with the terms of the Note and Mortgage.
- b. Debtor acknowledges that the Debtor is currently due for the following amounts post-petition as referenced in Citadel's Motion for Relief:

05/15/2023	06/15/2023	@\$612.24 P/M	\$ 1,224.48
		Attorney's fee	650.00
		Filing fee	181.00
		TOTAL DUE	\$ 2,055.48

- a. Debtor acknowledges that she has not paid the July 15, 2023 post-petition payment in the amount of \$612.24, and Debtor agrees to immediately make a payment in the amount of \$612.24 upon the signing and execution of this stipulation.
- b. Debtor will pay the May 15, 2023 post-petition payment of \$612.24 by August 15, 2023, along with the regular post-petition payment due by August 15, 2023 for a total of \$1,224.48.
- c. Debtor will pay the June 15, 2023 post-petition payment of \$612.24 by September 15, 2023, along with the regular post-petition payment due on September 15, 2023 for a total of \$1,224.48.
- d. Commencing with the August 15, 2023 payment, Debtor shall resume and continue to make all regular monthly post-petition mortgage payments when they are due in accordance with said Note and Mortgage.

- e. The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.
- f. The Debtor shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not timely made, Movant may provide the Debtor and her counsel within fifteen (15) days written notice of default. If the default is not cured within the fifteen (15) day period, Movant may certify the default to this Court and an Order shall be entered granting Citadel Federal Credit Union, its successors and/or assigns relief from the automatic stay without further notice and hearing.
- g. Should Citadel Federal Credit Union, its successors and/or assigns be granted relief from the stay after filing a Certification of Default in accordance with paragraph 2(h) above, the parties agree that the said relief order will include the following language: "Bankruptcy Rule 4001(a)(3) is not applicable, and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non-Bankruptcy law." Debtor(s) have the right to object to any certificate of default filed by Movant.
- h. The parties agree that a facsimile may be submitted to the Court as if it were an original.

STIPULATED AND AGREEED TO BY:



M. Jacqueline Larkin, Esquire
Attorney for Citadel Federal Credit Union

Date: 07.26.2023



Brad J. Sadek, Esquire
Attorney for ~~Citadel Federal Credit Union~~
Debtor

Date: 7/26/23

Kenneth E. West, Esquire
Trustee

Date:

On this ___ day of _____, 2023, approved by the Court.

Chief Bankruptcy Judge
Magdeline D. Coleman